| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/087,990 | 03/05/2002 | Ron Rymon | 02/23292 | 4478 |

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| EXAMINER |
|---|
| HOANG, PHUONG N |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2194 | |

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| 07/20/2009 | PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| | 10/087,990 | RYMON, RON |
| **Office Action Summary** | Examiner | Art Unit | |
| | PHUONG N. HOANG | 2194 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>23 March 2009</u>.

2a)☒ This action is **FINAL**.        2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1 - 35</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1 - 35</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

1.      Claims 1 – 35 are pending for examination.   This office action is in response to

amendment filed 03/23//2009.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

2.      **Claims 1 – 6, 25 – 31, 33 – 35 are rejected under 35 U.S.C. 102(e) as being**

**anticipated by Stone, US pub. no. 2003/0233439.**

3.      Stone reference was cited in previous office action.

4.      **As to claim 1**, Stone teaches a computer apparatus configured to discover roles

from structure existing amongst users to whom resources have been assigned, the

apparatus comprising:

a processor (inherent to execute the computer);

a discovery unit associated with said input configured for searching for patterns within said links between said users and said resources partitioned into a set of users and a set of resources, wherein (directory services system 32 provides a search engine for supporting access of user resources, client links to documents, web pages or other resources in an index, table of contents or a topical hierarchy, 0056 – 0057, 0060 - 0061, 0077, 0093):

each user of said set of nodes of users comprises a node with an assignment of resources from the set of nodes of resources (user accesses to multiple resources, 0059);

the links comprise said assignments between respective users and resources (a user group is authenticated for access to a resource, 0057);

a grouping unit, associated with said discovery unit, configured to use said discovered patterns to form at least one group from said user nodes or said resource nodes using said automatically discovered patterns (template can be used to form new user group, 0093 - 0095), such that users or resources having all of a subset of at least two links to common resources or users are placed into a same group (assign user rights and group rights to accessing or editing corresponding data/resources, 0059, 0063, 0089);

an output unit configured for outputting said group of users or resources as a role (new groups, 0094).

5.      **As to claim 2**, Stone teaches wherein said relationships are access permissions

(permissions, 0059).


6.      **As to claims 3 - 5**, Stone teaches wherein of a network, said resources and said

relationships are usage levels of respective resources by respective users (network,

0097).


7.      **As to claim 6**, Stone teaches wherein said nodes comprise entities having

attributes, and said relationships represent a respective user possessing a respective

attribute (assign user rights and group rights to accessing or editing corresponding data,

0063, 0089).


8.      **As to claim 25**, this is the method claim of claim 1.  See rejection for claim 1

above.


9.      **As to claim 26**, this is the hardware claim of claim 1.  See rejection for claim 1

above.


10.     **As to claim 27**, Stone teaches a computer device comprising:

          a processor (inherent);

          a first series of user definitions, each user in said definitions defined as a user

node (user, 0094 - 0095);

a second series of resource definitions, each resource in said definitions defined as a resource node (applications, 0094 - 0095);

access data indicating access of users to respective resources (user group that have similar attribute values or application access, 0094);

a pattern recognition unit operable with said processor for automatically discovered pre-existing patterns in said access data (template, 0094 - 0095) said patterns indicative of a way of grouping said nodes so as to discover groups of nodes having common subsets of at least two resources group of resources that are assigned in common to a group of users nodes having common subsets of access data related to at least two resources (template can be used to form new group, and user group is authenticated for access to a resource, and the user resources can be searched, 0056 - 0057, 0060 – 0061, 0084, 0089, 0095);

a group definition unit configured to output groups (user group, 0094 – 0095).

11.　　**As to claim 28**, Stone teaches wherein said role comprises said users or said resources sharing only said subset (0056).

12.　　**As to claim 29**, this is the apparatus claim of claim 25.  See rejection for claim 25 above.

13.　　**As to claim 30**, Stone teaches a group discovery method comprising:

electronically searching for links between nodes partitioned into a first data set and a second data set, wherein: said links exist between nodes in the first data set and nodes in the second data set (directory services system 32 provides a search engine for supporting a selection of user resources or client links to documents, web pages or other resources in an index, table of contents or a topical hierarchy, 0056 – 0057, 0060 - 0061, 0077, 0093);

grouping nodes in said first set according to respective links found by the electronic searching (the directory services system provides search engine to support the selection of user resources, searching or browsing the template, 0056 – 0057, 0060 - 0061, 0077, 0093) such that all nodes in said first set having links to at least two commonly held nodes (user accesses to multiple resources, [0059]) in said second set are assigned to a same group, thereby discovering groups in said data (template can be used to form new groups that have similar attribute value, 0094).

14.   **As to claim 31**, Stone teaches a method of grouping users having links or attributes into one or more groups based on said links or attributes, the method comprising:

searching for links or attributes of the users, wherein the links or attributes of each user characterize an association between user and resources (directory services system 32 provides a search engine for supporting access of user resources, client links to documents, web pages or other resources in an index, table of contents or a topical hierarchy, 0056 – 0057, 0060 - 0061, 0077, 0093);

providing a group for users sharing all of a subset of at least two of said links or attributes (user accesses to multiple resources, [0059]) discovered by the searching step (user group is authenticated for access to a resource, and the user resources can be searched, 0056 - 0057, 0060 – 0061, 0084, 0089, 0095);

outputting said provided groups (template can be used to form new groups, 0094, 0095).

15.   **As to claim 33**, Stone teaches wherein said outputting said group comprises outputting a characteristic of said group (new groups, 0094).

16.   **As to claim 34**, this is the method claim of claim 30.  See rejection for claim 30 above.

17.   **As to claim 35**, this is the apparatus claim of claim 30.  See rejection for claim 30 above.

### *Claim Rejections - 35 USC § 103*

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19.    **Claims 7 – 12, 17 – 19, 32 are rejected under 35 U.S.C. 103(a) as being
unpatentable over Stone, US pub. no. 2003/0233439 in view of Gerba, US pub. no.
2002/0040389.**

20.    Gerba reference was cited in previous office action.

21.    **As to claim 7**, Stone does not explicitly teach a search tree to begin with a single
resource and its associated users, and iteratively to add resources and remove users
not having a predefined relationship with said iteratively added resources, to meet a
resource number.

Gerba teaches a search tree to begin with a single resource and its associated
users, and iteratively to add resources and remove users not having a predefined
relationship with said iteratively added resources, to meet a resource number (0054,
0081, 0102).

It would have been obvious to one of ordinary skill in the art at the time the
invention was made to combine the teaching of Stone and Gerba because Gerba's
network structure tree arranges the data in tree form when in use and is preferably
maintained in a memory suitable for quick access such as RAM, And having a network
structure database allows the node to store the last used tree and to make periodic
updates to quickly rebuild the network structure tree if required (0081).

22.    **As to claims 8 - 9,** Gerba teaches the search engine is operable to use a
homogensity measure to determine whether to consider a candidate (homogenous,
0056).


23.    **As to claims 10 - 12,** Stone teaches wherein said search engine is operable
within said iterative stages to add further resources common to a current set of users
(0056).


24.    **As to claims 17 - 19,** see rejection for claims 7, 10 and 12 above.


25.    **As to claim 32,** see rejection for claim 7 above.


26.    **Claims 20 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable
over Stone, US pub. no. 2003/0233439 in view of Brown, US patent no. 5,941,947.**


27.    Brown reference was cited in previous office action.


28.    **As to claim 20,** Stone does not explicitly teach the step of wherein the input is
associated with a graphical expositor which presents the input in a graph.

Brown teaches the steps of wherein the graphical expositor presents the input in
a graph (acyclic graphs, col. 12 lines 51 – col. 13 line 38).

It would have been obvious to one of skill in the art at the time the invention was made to combine the teaching of Stone and Brown's system because Brown's graph would provide the graph structure with partitioned groups on different levels for easy input to the tree structure of Stone's system to control the network nodes partitions and searchable.

29.    **As to claim 21,** Stone teaches the user would manually interact using graphical to manually assign modify the groupings discovered by the pattern recognition engine (administrator adds user, 0038).

30.    **As to claims 22 - 23,** Brown teaches the steps of wherein the graphical expositor is further operable to partition the graph into sub-graphs (acyclic graphs, col. 12 lines 51 – col. 13 line 38), each of the sub-graphs itself being a mentioned graph having at least two partitions, sub-graphs being limited to it subset of the nodes in one of the partitions, and further comprising all the nodes in the other partition that are linked thereto, and wherein the pattern recognition unit is further operable to perform groupings on each of the sub-graphs, and then to merge the results into a full graph.

31.    **As to claim 24,** see rejection for claim 21 above.

### *Allowable Subject Matter*

32.    Claims 13 – 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### *Response to Arguments*

33.    Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

34.    Applicant argued that the Stone teaches search is automatically while applicant claimed the search is done manually.

In response, examiner could not find anywhere the claimed "manually".

35.    Applicant argued that Stone does not teach the links found by electrical search.

In response, the search engine is for searching or browsing the users, resources, or template (0056 – 0057, 0060 - 0061, 0077, 0093 - 0094), and when the attribute values is similar to a selected template, a new group can be formed. In some situations, administrator can save time by retrieving templates that is search for link to establish new user groups (0094).

*Conclusion*

36.    Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.  Accordingly, **THIS ACTION IS MADE FINAL**.  See MPEP

§ 706.07(a).  Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.


37.    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to PHUONG N. HOANG whose telephone number is

(571)272-3763.  The examiner can normally be reached on Monday - Friday 9:00 am to

5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hyunh S. Sough can be reached on 571-272-6799.  The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


/Hyung S. Sough/                                    /P. N. H./
Supervisory Patent Examiner, Art Unit 2194          Examiner, Art Unit 2194
07/18/09